



Dave Heineman
Governor

STATE OF NEBRASKA

NEBRASKA LIQUOR CONTROL COMMISSION

Hobert B. Rupe

Executive Director

301 Centennial Mall South, 5th Floor

P.O. Box 95046

Lincoln, Nebraska 68509-5046

Phone (402) 471-2571

Fax (402) 471-2814

TRS USER 800 833-7352 (TTY)

web address: <http://www.lcc.ne.gov/>

TO: Retail Licensees

FROM: Nebraska Liquor Control Commission

SUBJECT: Returns of Alcoholic Beverages (Beer, Wine and Spirits)

EFFECTIVE DATE: April 28, 2010

There have been recent inquiries into the subject of the return of damaged alcoholic product. The following is the Nebraska Liquor Control Commission Administrative policy on the practice of damaged returns.

Please be advised that Statute 53-168 and 53-169 along with Rules and Regulations Chapter 6, 018 Credit Wholesale/Retail prohibit the following:

- A. Giving Credit to a retailer for product that was damaged or destroyed after the sale when in possession of the retailer.
Exception: When products are delivered in full or partial pallets where at the time of delivery the damaged product was hidden to both parties (Retailer and Wholesaler). Credit may be granted in this instance. There shall be some evidence of the damaged product supported by a picture or other reasonable commercial record.
- B. In the event wholesale representatives, namely merchandisers, in the process of conducting routine product rotation damage or break alcoholic products after initial delivery, the wholesale licensee is not allowed to grant any credit accordingly. This is based off the fact that the retailer has allowed this service to be performed by the wholesaler after initial delivery and acceptance of the product.

Sincerely,

Nebraska Liquor Control Commission
Hobert Rupe, Director

Janice M. Wiebusch
Commissioner

Bob Logsdon
Chairman

Robert Batt
Commissioner